

# Village of Biscayne Park

640 NE 114<sup>th</sup> Street  
Biscayne Park, FL 33161  
(305) 899-8000

## Mayor and Commission

John R. Hornbuckle  
Mayor

Chester "Doc" Morris  
Vice-Mayor

Robert "Bob" Anderson  
Commissioner

Steve Bernard  
Commissioner

Kelly Mallette  
Commissioner

Frank R. Spence  
Village Manager

John J. Hearn  
Village Attorney

Ann Harper  
Village Clerk

## AGENDA

### REGULAR COMMISSION MEETING

Ed Burke Recreation Center – 11400 NE 9<sup>th</sup> Court

**Wednesday, November 5, 2008 - 7:00 pm**

Rescheduled from Tuesday, November 4, 2008

1. CALL TO ORDER and ROLL CALL
  2. PLEDGE OF ALLEGIANCE
  3. ORDER OF BUSINESS - ADDITIONS, DEFERRALS, OR DELETIONS TO AGENDA
  4. PRESENTATIONS
    - A. Recognition of Village Manager Frank R. Spence for receiving the 40-Year Service Award from the International City/County Management Association (ICMA) for 40 years of dedicated public Service and professional management at the local government level.
  5. PUBLIC COMMENTS RELATED TO AGENDA ITEMS
  6. CONSENT AGENDA (Motion to be made for all as one or remove for discussion) - TAB #6
    - A. Approval of Minutes – Regular Meetings – (1) September 9, 2008  
(2) October 7, 2008
      - Special Meetings – (3) July 29, 2008  
(4) September 9, 2008 (1<sup>st</sup> Budget PH)  
(5) September 17, 2008  
(6) September 23, 2008 (2<sup>nd</sup> Budget PH)
- TBS
- B. Approval of Preliminary Financial Statements for quarter ending 9/30/2008
  - C. Agreements
    - (1) Mutual Aid Agreement Between the School Board of Miami-Dade County and the Village of Biscayne Park

**Manager's Recommendation: Approval of Consent Agenda**

**Village of Biscayne Park - Agenda**

**7. PUBLIC HEARINGS - TAB #7**

**A. SECOND READING OF ORDINANCES**

**(1) ORDINANCE NO. 2008-1R**

**AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, GRANTING FLORIDA POWER & LIGHT COMPANY, ITS SUCCESSORS AND ASSIGNS, AN ELECTRIC FRANCHISE; IMPOSING PROVISIONS AND CONDITIONS RELATING THERETO; PROVIDING FOR MONTHLY PAYMENTS TO THE VILLAGE OF BISCAYNE PARK, FLORIDA; PROVIDING FOR CONFLICT; PROVIDING FOR AN EFFECTIVE DATE (Continued from Commission Meeting October 7, 2008)**

**Manager's and Attorney's Recommendation: Continue to January 13, 2009 regular meeting**

**(2) ORDINANCE NO. 2008-7**

**AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, CREATING A NEW CHAPTER OF THE VILLAGE'S CODE OF ORDINANCES ENTITLED "RECREATION ADVISORY BOARD;" PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION; PROVIDING FOR RENUMBERING; PROVIDING FOR AN EFFECTIVE DATE (2<sup>nd</sup> Reading)**

**Manager's Recommendation: Approval**

**8. ORDINANCES – FIRST READING – TAB #8**

**A. ORDINANCE NO. 2008-8**

**AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, AMENDING CHAPTER 2, ARTICLE III, ENTITLED COMMISSIONS, BOARDS AND COMMITTEES BY CREATING NEW SECTION 2-30 OF THE CODE OF ORDINANCES OF THE VILLAGE OF BISCAYNE PARK, ENTITLED "GENERAL RULES AND POLICIES;" PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION; PROVIDING FOR AN EFFECTIVE DATE**

**Manager's Recommendation: Approval, as amended**

**Village of Biscayne Park - Agenda**

**8. ORDINANCES – FIRST READING – (Continued)**

**B. ORDINANCE NO. 2008-3**

**AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, AMENDING CHAPTER 2, ARTICLE II OF THE VILLAGE OF BISCAYNE PARK CODE OF ORDINANCES, ENTITLED "VILLAGE COMMISSION," PROVIDING FOR DUTIES AND RESPONSIBILITIES OF THE MAYOR AND RULES OF PROCEDURE, DISCUSSION, AND DECORUM AT PUBLIC MEETINGS; PROVIDING THAT IT SHALL BE UNLAWFUL TO VIOLATE THE RULES OF DECORUM; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE**

**(Sponsored by Commissioner Anderson)**

**Manager's Recommendation: Approval, as amended**

**C. ORDINANCE NO. 2008-9**

**Exhibit A  
TBS**

**AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA PURSUANT TO SECTION 166.041, FLORIDA STATUTES, TO AMEND ORDINANCE 2007-13 ADOPTED ON SEPTEMBER 18, 2007 FINALIZING AND ADOPTING THE ANNUAL OPERATING BUDGET AND CAPITAL IMPROVEMENT PROGRAM FOR FISCAL YEAR 2007-2008, BY AMENDING VARIOUS PARTS OF THE BUDGET CONSISTENT WITH EXHIBIT "A," ATTACHED HERETO; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE**

**Manager's Recommendation: Approval**

**9. RESOLUTIONS – None**

**10. OLD BUSINESS – TAB #10**

- A. Consideration of Replacement of Alternate vacancy on the Planning and Zoning Board caused by moving Elizabeth Piotrowski to the permanent position (Continued from October 7, 2008, meeting)**
- B. Consideration of Proposed Personnel Rules and Regulations (previously submitted by the Village Manager)**

**11. NEW BUSINESS – TAB #11**

- A. Discussion of formulation of guidelines for Performance Evaluation of Village Manager (Commissioner Anderson)**

**(1) Examples of Evaluation Forms from Other Cities**

**BS**

- B. Ratification of agreement with Police Benevolent Association for October 1, 2007 to September 30, 2010**

## **Village of Biscayne Park - Agenda**

### **11. NEW BUSINESS – TAB #11 (Continued)**

- C. Consideration of rescheduling the regular Commission Meeting from December 2, 2008 to December 9, 2008 (Village Manager)**
- D. Recommendation to approve the lease/purchase of three (3) 2009 Chevrolet Impala Police Package V-6 Traffic Patrol Cars at \$605.18 per month per car for 48 months, and two (2) 2009 Chevrolet Impala Police Package V-6 Command Cars at \$583.19 per month per car for 48 months, all with extended warranties, from Mears Motor Leasing of Orlando, Florida, a Financial Division of The Bancorp Bank, utilizing the Florida Sheriff's Association's Bid No. 08-16-0908. Annual Cost: \$35,783.09. Funds are provided in the FY 2008-2009 Budget.**

**Manager's Recommendation: Approval**

### **12. GOOD AND WELFARE (PUBLIC)**

### **13. REPORTS**

#### **A. Committee Reports**

- 1. 75<sup>th</sup> Anniversary Committee – Mayor Hornbuckle**
- 2. Parks & Parkways Advisory Board – Dan Keys, Chairman**
- 3. Recreation Advisory Board – Roxanna Ross, Chairman**

#### **B. Village Attorney Comments**

#### **C. Village Manager Comments**

- 1. Report from Police Chief Glansberg**
- 2. Updates on various projects**
  - a. Entry sign easement – meeting with Diocese**
  - b. Recreation Pavillion**
  - c. Public Works Building**
  - d. Recreation Building hardening**
  - e. IRS- 501(c) 3 Application**
  - f. N.W. 6<sup>th</sup> Avenue Beautification Project**

#### **D. Commission Comments**

- 1. Commissioner Anderson**
- 2. Commissioner Bernard**
- 3. Commissioner Mallette**
- 4. Vice-Mayor Morris**
- 5. Mayor Hornbuckle**

## Village of Biscayne Park - Agenda

### 14. ANNOUNCEMENTS -All public meetings are held at the Ed Burke Recreation Center 11400 NE 9<sup>th</sup> Court

\*Thursdays, November 6, 13, and 20 - Recreation Advisory Board 7 pm  
\*Saturday, November 8 Town Hall Meeting 10am – 1 pm (Recreation Adv. Bd.)  
\*Monday, November 10 Parks & Parkways Board 6:30  
\*Tuesday, November 11 All Departments Closed in observance of Veterans Day  
\*Monday November 17 Planning & Zoning Board at 6:30 pm  
\*Tuesday November 18 Code Enforcement Board at 7 pm  
\*Thursday November 27 All Departments Closed in observance of Thanksgiving  
\*Friday November 28 Village Hall Closed  
\*Monday December 1 Planning & Zoning Board at 6:30

### 15. ADJOURMENT - NOTE: TBS = To Be Submitted

Visit our website at [www.biscayneparkfl.gov](http://www.biscayneparkfl.gov)

In accordance with the provisions of F.S. Section 286.0105, should any person seek to appeal any decision made by the Commission with respect to any matter considered at this meeting, such person will need to ensure that a verbatim record of the proceedings is made; which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation to participate in the proceedings should call Village Hall at (305) 899-8000 no later than (4) days prior to the proceeding for assistance.

#### DECORUM

Any person making impertinent or slanderous remarks, or who becomes boisterous while addressing the Commission, shall be barred from further audience before the Commission by the presiding officer, unless permission to continue or again address the commission is granted by the majority vote of the Commission members present. No clapping, applauding, heckling or verbal outbursts in support or in opposition to a speaker or his/her remarks shall be permitted. No signs or placards shall be allowed in the Commission Chambers. Please mute or turn off your cell phone or pager at the start of the meeting. Failure to do so may result in being barred from the meeting. Persons exiting the Chamber shall do so quietly.



# Village of Biscayne Park

## MINUTES

### REGULAR MEETING

Ed Burke Recreation Center – 11400 NE 9<sup>th</sup> Court  
Wednesday, November 5, 2008 - 7:00 pm  
Rescheduled from November 4, 2008

Mayor Hornbuckle called the meeting to order at 7:10 p.m. In addition to Mayor Hornbuckle, present were Vice-Mayor "Doc" Morris and Commissioners Bob Anderson, Steve Bernard, and Kelly Mallette. Present from Staff were Frank Spence, Village Manager; John Hearn, Village Attorney; Mitchell Glansberg, Police Chief; Bernard Pratt, Public Works Director; and Ann Harper, Village Clerk.

Commissioner Anderson led the Pledge of Allegiance followed by a moment of silence.

### **3. ORDER OF BUSINESS - ADDITIONS, DEFERRALS, OR WITHDRAWALS TO AGENDA**

Commissioner Anderson asked that item 8B, Ordinance 2008-3, be removed from the agenda, and pending review it will be placed back on the agenda as a Resolution. Also, items 10B and 11A should be discussed in a workshop.

Mr. Spence asked that item 6B, financial statements, and 8C, Ordinance 2008-9, be deferred until the next meeting. Also, item 11B, the PBA contract, will be voted on by Police on Thursday, November 6, and, if approved, will be placed on the next agenda.

Mayor Hornbuckle added item 4B, presentation of certificates.

### **4. PRESENTATIONS**

#### **A. Recognition of Village Manager Frank R. Spence for receiving the 40-Year Service Award from the International City/County Management Association (ICMA) for 40 years of dedicated public Service and professional management at the local government level.**

Mr. Spence said he was not able to attend the Conference due to budget constraints, but only a few of the over four thousand managers throughout the country were honored with this award for local government service and professional management. Mayor Hornbuckle congratulated Mr. Spence on the award.

#### **B. Presentation of Certificates of Appreciation to Maria Camara, Joe Chao, and Elisa Tankersley for their work on the 75<sup>th</sup> Anniversary events**

Mayor Hornbuckle read the Certificates of Appreciation and presented them with thanks to the recipients for their dedication and hard work in making the 75<sup>th</sup> Anniversary events a success. Commissioner Anderson thanked Mayor Hornbuckle for spearheading the project.

### **5. PUBLIC COMMENTS RELATED TO AGENDA ITEMS – no speakers**

**6. CONSENT AGENDA (Motion to be made for all as one or remove for discussion)**

**A. Approval of Minutes – Regular Meetings – (1) September 9, 2008  
(2) October 7, 2008**

**Special Meetings – (3) July 29, 2008  
(4) September 9, 2008 (1<sup>st</sup> Budget PH)  
(5) September 17, 2008  
(6) September 23, 2008 (2<sup>nd</sup> Budget PH)**

**TBS B. Approval of Preliminary Financial Statements for quarter ending 9/30/2008  
(removed from Consent Agenda earlier in meeting)**

**C. Agreements**

**(1) Mutual Aid Agreement Between the School Board of Miami-Dade County and the Village of Biscayne Park**

**Manager's Recommendation: Approval of Consent Agenda**

Commissioner Bernard asked that 6A(6), Minutes of the 2<sup>nd</sup> Budget Public Hearing, be removed from the agenda and placed on the next agenda as he did not have a chance to review them.

Motion was made by Vice-Mayor Morris, seconded by Commissioner Anderson, to approve the Consent Agenda with the deletion of the September 23<sup>rd</sup>, 2008, minutes. The motion carried by voice vote, 5/0.

**7. PUBLIC HEARINGS**

**A. SECOND READING OF ORDINANCES**

**(1) ORDINANCE NO. 2008-1R**

**AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, GRANTING FLORIDA POWER & LIGHT COMPANY, ITS SUCCESSORS AND ASSIGNS, AN ELECTRIC FRANCHISE; IMPOSING PROVISIONS AND CONDITIONS RELATING THERETO; PROVIDING FOR MONTHLY PAYMENTS TO THE VILLAGE OF BISCAYNE PARK, FLORIDA; PROVIDING FOR CONFLICT; PROVIDING FOR AN EFFECTIVE DATE (Continued from Commission Meeting March 4, 2008)**

**Manager's and Attorney's Recommendation: Continue to January 13, 2009, regular meeting**

Attorney Hearn said it was best to wait until other cities conclude their negotiations with FPL before considering this Ordinance. Before making any motions, the Commission should determine the date of the January 2009 Commission meeting.

Commissioner Mallette said she was opposed to changing the dates of the regular Commission meetings; Vice-Mayor Morris agreed. The Commission consensus was to hold the meeting as scheduled on January 6, 2009.

Attorney Hearn read the title of the Ordinance.

Motion was made by Vice-Mayor Morris, seconded by Commissioner Anderson, to continue the Public Hearing until January 6, 2009. The motion carried by voice vote, 5/0.

**(2)                      ORDINANCE NO. 2008-7**

**AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, CREATING A NEW CHAPTER OF THE VILLAGE'S CODE OF ORDINANCES ENTITLED "RECREATION ADVISORY BOARD;" PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION; PROVIDING FOR RENUMBERING; PROVIDING FOR AN EFFECTIVE DATE (2<sup>nd</sup> Reading)**

**Manager's Recommendation: Approval**

Attorney Hearn read the title of the Ordinance and the Mayor opened the Public Hearing.

Dan Keys recommended that several changes be made in the Ordinance, and Attorney Hearn agreed with the recommendations and said the revisions could be made at this time.

There were no more speakers, and the Public Hearing was closed.

Commissioner Bernard recommended that "qualified residents" be substituted for "qualified electors."

Motion was made by Vice-Mayor Morris, seconded by Commissioner Anderson, to approve the Ordinance as amended on second and final reading. The motion carried by roll-call vote, as follows:

AYES: Commissioners Anderson, Bernard and Mallette; Vice-Mayor Morris and Mayor Hornbuckle.

NAYS: None.

**Recreation Advisory Board**

Vice-Mayor Morris appointed Tracy Truppman, currently Alternate member of the Recreation Advisory Board, to regular membership to replace Scott Steiger.

Motion was made by Commissioner Mallette, seconded by Vice-Mayor Morris, to appoint Janey Anderson as Alternate member of the Recreation Advisory Board. The motion carried by voice vote, 5/0.



## **8. ORDINANCES – FIRST READING**

### **A. ORDINANCE NO. 2008-8**

**AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, AMENDING CHAPTER 2, ARTICLE III, ENTITLED COMMISSIONS, BOARDS AND COMMITTEES BY CREATING NEW SECTION 2-30 OF THE CODE OF ORDINANCES OF THE VILLAGE OF BISCAYNE PARK, ENTITLED "GENERAL RULES AND POLICIES;" PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION; PROVIDING FOR AN EFFECTIVE DATE  
Manager's Recommendation: Approval**

Attorney Hearn read the title of the Ordinance and said this represents an overview of rules and procedures which would apply to all boards and committees.

Mr. Spence referred to the three-page memorandum in the backup which outlines his concerns.

Commissioner Anderson recommended that Attorney Hearn review Mr. Spence's memorandum and bring the Ordinance back for first reading.

Commissioner Bernard said throughout the years committees were not set up my ordinance and asked whether or not there is anything in this ordinance that has been a problem in the past. Attorney Hearn said after the new Charter was approved, the Village set up committees by ordinance.

Commissioner Mallette said some things in the ordinance would be beneficial, but she would like to know the cost of implementing some of the other things. She would like it to come back.

Motion was made by Commissioner Anderson, seconded by Commissioner Mallette, for the Manager and the Attorney to review the ordinance, simplify it, and bring it back for first reading.

Dan Keys made several suggestions for changes in the ordinance.

Mayor Hornbuckle called for a voice vote on the motion, which carried 5/0.

### **B. ORDINANCE NO. 2008-3**

**AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, AMENDING CHAPTER 2, ARTICLE II OF THE VILLAGE OF BISCAYNE PARK CODE OF ORDINANCES, ENTITLED "VILLAGE COMMISSION," PROVIDING FOR DUTIES AND RESPONSIBILITIES OF THE MAYOR AND RULES OF PROCEDURE, DISCUSSION, AND DECORUM AT PUBLIC MEETINGS; PROVIDING THAT IT SHALL BE UNLAWFUL TO VIOLATE THE RULES OF DECORUM; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE  
(Sponsored by Commissioner Anderson)  
Manager's Recommendation: Approval, as amended**

Note: Removed from agenda earlier in meeting and will be brought back as a Resolution.

Exhibit A  
TBS

C.

**ORDINANCE NO. 2008-9**

**AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA PURSUANT TO SECTION 166.041, FLORIDA STATUTES, TO AMEND ORDINANCE 2007-13 ADOPTED ON SEPTEMBER 18, 2007 FINALIZING AND ADOPTING THE ANNUAL OPERATING BUDGET AND CAPITAL IMPROVEMENT PROGRAM FOR FISCAL YEAR 2007-2008, BY AMENDING VARIOUS PARTS OF THE BUDGET CONSISTENT WITH EXHIBIT "A," ATTACHED HERETO; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE**

**Manager's Recommendation: Approval**

Note: Removed from Agenda earlier in the meeting.

**9. RESOLUTIONS – None**

**10. OLD BUSINESS – TAB #10**

**A. Consideration of Replacement of Alternate vacancy on the Planning and Zoning Board caused by moving Elizabeth Piotrowski to the permanent position (Continued from October 7, 2008, meeting) – no action was taken**

**B. Consideration of Proposed Personnel Rules and Regulations (previously submitted by the Village Manager)**

Commissioner Bernard said the Manager was given direction to submit rules and regulations, job descriptions, and manager evaluation forms for consideration at the same time. He would like all of this information, including policies and procedures, for discussion at a workshop. Mr. Spence said he would hire someone to develop the policies and procedures. Commissioner Mallette said a workshop should be held to come up with an evaluation form for the manager. Commissioner Morris said the evaluation form should be a simple one, and the Recreation Center recommendations could be considered at the same workshop.

**11. NEW BUSINESS – TAB #11**

**A. Discussion of formulation of guidelines for Performance Evaluation of Village Manager (Commissioner Anderson)**

**(1) Examples of Evaluation Forms from Other Cities**

(Note: see comments in agenda item above)

**B. Ratification of agreement with Police Benevolent Association for October 1, 2007 to September 30, 2010 (to be placed on agenda 12/2/08)**

## **11. NEW BUSINESS – TAB #11 (Continued)**

- C. Consideration of rescheduling the regular Commission Meeting from December 2, 2008 to December 9, 2008 (Village Manager)**  
(Note: meeting not rescheduled)

Commissioner Bernard recommended holding the regular meeting as scheduled and holding a special meeting to discuss Recreation Department the following week.

- D. Recommendation to approve the lease/purchase of three (3) 2009 Chevrolet Impala Police Package V-6 Traffic Patrol Cars at \$605.18 per month per car for 48 months, and two (2) 2009 Chevrolet Impala Police Package V-6 Command Cars at \$583.19 per month per car for 48 months, all with extended warranties, from Mears Motor Leasing of Orlando, Florida, a Financial Division of The Bancorp Bank, utilizing the Florida Sheriff's Association's Bid No. 08-16-0908. Annual Cost: \$35,783.09. Funds are provided in the FY 2008-2009 Budget.**

**Manager's Recommendation: Approval**

Motion was made by Commissioner Anderson, seconded by Commissioner Mallette, to approve the lease/purchase as outlined. The motion carried by voice vote, 4/1, with Commissioner Bernard voting no.

## **12. GOOD AND WELFARE (PUBLIC)**

Pedro Bas, Division Chief, Operations Division, Miami-Dade County Fire Department, introduced himself to the Commission and said the Village is included in his service area.

Dan Keys commented on ordinances on the agenda.

## **13. REPORTS**

### **A. Committee Reports**

**1. 75<sup>th</sup> Anniversary Committee – Mayor Hornbuckle** commented on the success of the dinner dance at Miami Shores Country Club and thanked the companies and families who purchased tables for guests.

**2. Parks & Parkways Advisory Board – Dan Keys, Chairman,** said the contractor has installed trees throughout the Village. Discussion was held concerning trees interfering with FP&L lines, inspection of trees by the Urban Forester this week and sixty days from now, and application to "DERM" for removal/relocation of existing trees.

**Addendum requested by Commissioner Bernard: The Manager stated that Public Works is under orders not to remove or transplant any trees until the County Tree Removal Permit is obtained.**

**3. Recreation Advisory Board – Roxanna Ross, Chairman.** In the absence of Mrs. Ross, Mr. Spence read the report describing the Board's recent activities and said residents can continue to submit their completed surveys until Saturday, November 8<sup>th</sup> when the Recreation Advisory Board will sponsor a Town Hall meeting.

**B. Village Attorney Comments** – Attorney Hearn said a lawsuit was filed about four years ago, **Robert Smellie vs. Village**, and he would like the Commission to authorize the League of Cities to settle the claim for \$5,000. The Commission agreed to authorize settlement. Attorney Hearn also said the Union contracts with Public Works employees were settled with no substantive changes.

**C. Village Manager Comments**

**1. Report from Police Chief Glansberg** – report submitted

**2. Updates on various projects**

**a. Entry sign easement – meeting with Diocese** – Attorney Hearn said that he contacted attorneys with a title company and learned that the church property was platted in 1954. Since that time no other documents or agreements have been recorded.

**b. Recreation Pavillion** – Mr. Spence said he has submitted a request for a rollover of the grant funds received to construct the pavillion and also to delete the requirement for storage.

**c. Public Works Building** – He expects to place an ad for bids to construct in the Herald and Sun Sentinel next week.

**d. Recreation Building hardening** Mr. Spence said the Village's Structural Engineer has major concerns about how the roof is attached to the building

**e. IRS- 501(c) 3 Application** – Mr. Spence said he is working with IRS to answer their questions, and the deadline to respond is November 14<sup>th</sup>.

**f. N.W. 6<sup>th</sup> Avenue Beautification Project** – Mr. Spence said he and Commissioner Mallette met with FDOT and she will report on the meeting.

Mr. Spence said he would like to recognize and thank Judi Hamelburg. Judi serves as a pollworker, and she paid for the installation of paver bricks leading from the sidewalk to the side door of the Recreation Center where voters enter on election days. The walkway was installed by Public Works prior to the general election on November 4<sup>th</sup>.

**D. Commission Comments**

**1. Commissioner Anderson** thanked everyone who helped with the Halloween event at the Recreation Center. He also circulated photos of a property on N. E. 12<sup>th</sup> Avenue which he says has a hazardous condition in the front yard, and he asked the Manager to take action.

**2. Commissioner Bernard**

(a) said signs should be installed at Recreation stating "parties not permitted without a permit". Residents can no longer use the park because of others putting up tents and playing loud music;

**Addendum requested by Commissioner Bernard: At the 8/5/08 Commission Meeting, Attorney Hearn was to prepare the copy for the sign; Mr. Spence stated that we need the sign.**

(b) said there is no cold water at the outside water fountain, and the fountain should be a "high-low" model;

**Addendum requested by Commissioner Bernard: There is still no cold water at the outside water fountain, and the newly installed single fountain inside should be a "high/low" model to meet the code. It was not installed with a permit, and it was requested that Mr. Spence work up an estimate to correct. Mr. Spence agreed to do so.**

© said the CPTED study by Kimley-Horn recommended the use of stop-bars, but Public Works has not painted them as yet and this should be a higher priority than edging and garbage collection; Commissioner Mallette said she will call the County to see if they will do the work;

**Addendum requested by Commissioner Bernard: It was agreed that Mr. Pratt would have an estimate to paint stop bars at the December meeting.**

(d) said the "dog park" area does not drain properly and the Manager should contact the contractor to get his calculations.

**Addendum requested by Commissioner Bernard: It was agreed that Mr. Spence would provide the drainage calculations to the Commission, bring in the Engineer to come up with a solution, and that no DERM permit was required for the work performed.**

**3. Commissioner Mallette** said the County may lease the landscaping area on N.E. 6<sup>th</sup> Ave. back to the Village. There will be a meeting next Monday with the landscape architect.

**4. Vice-Mayor Morris** commented that there are no cold water fountains at most tennis courts.

**5. Mayor Hornbuckle – no comments**

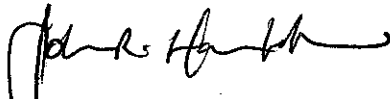
**14. ANNOUNCEMENTS -All public meetings are held at the Ed Burke Recreation Center 11400 NE 9<sup>th</sup> Court**

*Thursdays,	November 6, 13, and 20	- Recreation Advisory Board 7 pm
*Saturday	November 8	Town Hall Meeting 10am – 1 pm (Recreation Adv. Bd.)
*Monday	November 10	Parks & Parkways Board 6:30
*Tuesday	November 11	Departments Closed in observance of Veterans Day
*Monday	November 17	Planning & Zoning Board at 6:30 pm
*Tuesday	November 18	Code Enforcement Board at 7 pm
*Thursday	November 27	All Departments Closed in observance of Thanksgiving
*Friday	November 28	Village Hall Closed
*Monday	December 1	Planning & Zoning Board at 6:30

There being no further business to come before the Commission, the meeting was adjourned at 9:20 p.m.

Commission approved \_\_\_\_\_ April 7, 2009 \_\_\_\_\_

Attest:

  
\_\_\_\_\_  
John Hornbuckle, Mayor

  
\_\_\_\_\_  
Ann Harper, Village Clerk